

**REMARKS**

Claims 1-4, 8-11, 15 and 16 are pending in this application. By this Amendment, claim 1 is amended. No new matter is added by this Amendment. Reconsideration of the application based on the above amendment and the following remarks is respectfully requested.

The Office Action, in paragraph 4, rejects claims 1-4, 8-11 and 15 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,528,358 to Yamazaki et al. (hereinafter "Yamazaki") in view of U.S. Patent No. 5,808,595 to Kubota et al. (hereinafter "Kubota"). Additionally, the Office Action, in paragraph 5, rejects claim 16 under 35 U.S.C. §103(a) as being unpatentable over Yamazaki in view of Kubota, and further in view of U.S. Patent No. 6,653,657 to Kawasaki et al. (hereinafter "Kawasaki"). The Applicants respectfully traverse these rejections.

The Office Action asserts that some combination of Yamazaki, Kubota and/or Kawasaki at least would have suggested the combination of features recited in the pending claims. However, any permissible combination of the applied prior art references would not have suggested a capacitor being formed by the capacitor line, the capacitor electrode region, and a dielectric including portions of the thermal oxide film and the at least one vapor-deposited insulating film that are disposed between the capacitor line and the capacitor electrode region, as is positively recited in independent claim 1. The prior art references of Yamazaki and Kubota are silent regarding any such capacitor line, and/or a capacitor electrode region. The prior art reference of Kawasaki, while addressing a capacitor, is silent with respect to a capacitor electrode region. As such, none of the applied prior art references alone teach, nor in combination would they have suggested, the features positively recited in independent claim 1.

For at least the above reasons, any permissible combination of Yamazaki, Kubota and Kawasaki cannot reasonably be considered to teach, or to have suggested, the combination of all of the features recited in at least independent claim 1. Further, claims 2-4, 8-11, 15 and 16 would also not have been suggested by the applied prior art references for at least the respective dependence of these claims on allowable independent claim 1, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejection of claims 1-4, 8-11, 15 and 16 under 35 U.S.C. §103(a) as being unpatentable over some combination of the applied prior art references, as enumerated above, are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-4, 8-11, 15 and 16 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,  
  
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